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**FACSIMILE TRANSMITTAL SHEET**

**TO:** Examiner Fangemonique A. Smith – Group 3736

**FIRM/COMPANY:** U.S. Patent and Trademark Office  
Mail Stop Amendment

**FACSIMILE NUMBER:** 571.273.8300

**CONFIRMATION  
TELEPHONE:**

**FROM:** Edward J. Lynch

**DIRECT DIAL:** 415.957.3067

**DATE:** December 20, 2006

**USER NUMBER:** 5119

**FILE NUMBER:** Attorney Docket No. R0367-02501;  
Serial No. 10/729,086

**TOTAL # OF PAGES:** 17  
(INCLUDING COVERSHEET)

**MESSAGE:** Please see the attached Amendment and Response to Office  
Action.

**NOTE:** Original will not follow

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of  
Burbank et al.

Examiner: Fangemonique A. Smith

Group Art Unit: 3736

For: **TISSUE ACCESSING AND  
ANCHORING DEVICE AND METHOD**

Serial No.: 10/729,086

**AMENDMENT AND RESPONSE  
TO OFFICE ACTION MAILED**

**09/25/2006**

Filed: December 5, 2003

Atty. Docket. No.: R0367-02501

## CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8

I hereby certify that these papers are being sent by facsimile to (571) 273-8300, and addressed to Examiner Fangemonique A. Smith, Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 20, 2006, in San Francisco, CA.

  
Sirpa Kirjonen

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

- Transmitted herewith for filing in the above-identified patent application is an Amendment and Response to Office Action Mailed 09/25/2006.
- Claim Fee Calculation  
☒ No additional claim fee is required.  
☐ Amendment increases number of claims or multiple dependencies.

## Additional Claim Fee Calculation

Description	Fee Code	Claims	Extra	Rate	Fee
Independent Claims	2201	5-7=	0 x	\$100=	\$0
Total Claims	2202	41-65=	0 x	\$25=	\$0

Fees Due.....\$0

- Payment of Fees

☐ Enclosed is a check for the total fees due in the amount of \_\_\_\_.

☒ The Commissioner is authorized to charge any fees due and to credit any overpayment of fees set forth under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-02501. A duplicate copy of this document is enclosed for fee processing.

By: 

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Commissioner for Patents  
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Alexandria, VA 22313-1450

Dear Sir:

In response to the non-final Office Action mailed September 25, 2006, please  
amend this application as indicated below: